

Exhibit 1

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ALISHA BRIGGS,)	
)	
Plaintiff,)	
vs.)	
)	NO. 3:14-cv-05608-RBL
UNITED STATES OF AMERICA;)	
and PENNY M. FAIRES, M.D.,)	
and SCOTT KENNEDY, wife)	
and husband,)	
)	
Defendants.)	

DEPOSITION UPON ORAL EXAMINATION OF
CAROL FORD, LPN
February 25, 2015
Tacoma, Washington

Taken Before:
Kristin D. Manley, RPR, CCR
Registered Professional Reporter
of
Capitol Pacific Reporting, Inc.
2401 Bristol Court SW, Suite C-103, Olympia, WA 98502
Tel (360) 352-2054 Fax (360) 705-6539 Toll Free (800) 407-0148
Tacoma, WA Seattle, WA Aberdeen, WA
(253) 564-8494 (206) 622-9919 (360) 532-7445

Chehalis, WA Bremerton, WA
(360) 330-0262 (360) 373-9032
www.capitolpacificreporting.com
admin@capitolpacificreporting.com

1 instance a catheter.

2 Q Okay. Did you have the ability to do catheter
3 procedures at the Ocean Shores clinic?

4 A Yes, very rarely.

5 Q Okay.

6 MR. FAIN: You are talking urinary catheters now;
7 correct?

8 THE WITNESS: Correct.

9 MR. FAIN: Okay.

10 THE WITNESS: Correct.

11 BY MR. KAHLER:

12 Q During the time that you worked at the Sea Mar clinic at
13 Ocean Shores, were there generally two physicians
14 working at the clinic?

15 A Yes.

16 Q And did you have an understanding during the time that
17 you worked there about which physicians were employed by
18 Sea Mar and which were not employed by Sea Mar?

19 A Yes.

20 Q And how did you get that understanding?

21 A Just by conversations with the provider.

22 Q Okay. During the time that you worked at the Ocean
23 Shores clinic, how - what percentage of the time were
24 the two physicians that worked there employed by Sea Mar
25 as opposed to not being employed by Sea Mar?

1 MS. CHAN: And for the record, same objection as
2 before. To the extent that you are asking anything of
3 her more than just as a percipient fact witness. She is
4 not in HR, she is not a supervisor and she's not in
5 management and she is being deposed purely in her role
6 as a nurse who worked at Sea Mar.

7 Go ahead and answer.

8 THE WITNESS: The question again?

9 BY MR. KAHLER:

10 Q Yeah. During the time that you worked at the Ocean
11 Shores clinic, what is your understanding of how often
12 the two physicians that worked there were employed by
13 Sea Mar as opposed to not being employed by Sea Mar?

14 A I can just remember one.

15 Q Who was employed by Sea Mar or who was not?

16 A Who was not.

17 Q And who was that?

18 A Penny.

19 Q Okay. And that's Penny Faires?

20 A Correct.

21 Q How long did she work there?

22 A I do not recall.

23 Q And how did you know that she was not employed by Sea
24 Mar?

25 A By her conversation.

1 Mar employee was Dr. Faires?

2 A Correct.

3 Q Okay. Do you know whether - whether other physicians
4 who worked there were Sea Mar employees or do you know
5 what their - what their employment relationship was with
6 Sea Mar?

7 A I do not.

8 Q Were there any - any signs in the lobby at the clinic
9 that had the names of physicians working at the clinic
10 on them?

11 A I don't remember.

12 Q Chassidy Jones had testified about a whiteboard that had
13 the names of doctors and if they were - if they were
14 behind. Do you recall anything about that?

15 A I do remember the whiteboard, yes, I do, with the
16 doctor's name and the time - what the waiting period
17 was, now that you say that.

18 Q Okay. And do you recall where that was in the lobby?

19 A Yes, I do.

20 Q Where was that located?

21 A This is the front desk. It was on the wall right to the
22 right --

23 Q Okay.

24 A -- of the receptionist. So as people came here, that
25 was right - they could see it.

Exhibit 2

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ALISHA BRIGGS,)
)
Plaintiff,)
vs.) NO. 3:14-cv-05608-RBL
)
UNITED STATES OF AMERICA;)
and PENNY M. FAIRES, M.D.,)
and SCOTT KENNEDY, wife)
and husband,)
)
Defendants.)

DEPOSITION UPON ORAL EXAMINATION OF
CHASSIDY JONES, MA
February 25, 2015
Tacoma, Washington

Taken Before:
Kristin D. Manley, RPR, CCR
Registered Professional Reporter
of
Capitol Pacific Reporting, Inc.
2401 Bristol Court SW, Suite C-103, Olympia, WA 98502
Tel (360) 352-2054 Fax (360) 705-6539 Toll Free (800) 407-0148
Tacoma, WA Seattle, WA Aberdeen, WA
(253) 564-8494 (206) 622-9919 (360) 532-7445

Chehalis, WA Bremerton, WA
(360) 330-0262 (360) 373-9032
www.capitolpacificreporting.com
admin@capitolpacificreporting.com

1 Q Do you - do you split your time between the two?

2 A No.

3 Q What years did you work at the Aberdeen clinic?

4 A From 2007 to 2011.

5 Q Okay. And then when have you worked at the Ocean Shores
6 clinic?

7 A Since then.

8 Q Okay.

9 A Since 2011.

10 Q What is your educational background?

11 A High school graduate and certificate holder of medical
12 assistant and education from Bryman College.

13 Q Where did you go to high school?

14 A North Beach High School in Ocean Shores.

15 Q And what education or training did you receive to get
16 the medical certificate?

17 A It is a - Bryman College is a technical college and they
18 have a medical assistant course that you take.

19 Q Okay. And where is Bryman College located?

20 A It is right down the street on Pacific Avenue in Tacoma.

21 Q Okay. What was your - what were your jobs or your job
22 titles at the Sea Mar clinic in Aberdeen?

23 A Medical assistant.

24 Q Okay. Have you been a medical assistant the whole time
25 that you worked at Sea Mar?

1 A No. I had one year where I was a care coordinator.

2 Q And what are the - what are the responsibilities of a
3 medical assistant?

4 A Medical assistant? You room patients and do vitals and
5 input their history and do invasive procedures,
6 injections, some lab work and help the provider with
7 invasive procedures and toenail removals, things such as
8 that.

9 Q And what were your responsibilities as a care
10 coordinator?

11 A Chronic disease management and goal setting for people
12 with chronic conditions.

13 Q Okay. When did you get your medical assistant
14 certification?

15 A 2006.

16 Q And when did you graduate from high school?

17 A 2002.

18 Q What did you do between 2002 and getting your medical
19 assistant certification?

20 A I worked as assistant manager and projectionist at the
21 Ocean Shores movie theater.

22 Q Okay. During the time that you have been at the Sea Mar
23 Ocean Shores clinic, what - what physician - how many
24 physicians have they had at that clinic?

25 A It is going to take me awhile.

1 A Dr. Stokan and Penny Faires.

2 Q And do you recall what physicians worked there in 2011?

3 A Dr. Stokan and Scott Haga.

4 Q How long had Scott Haga worked there?

5 A At the Ocean Shores clinic was three years.

6 Q Was Penny Faires brought on to replace Scott Haga?

7 A Yes.

8 Q Do you know where Scott Haga went?

9 A Michigan.

10 Q Okay.

11 MR. FAIN: Can you spell Haga? Some of these
12 names I'm not getting.

13 THE WITNESS: H-A-G-A.

14 MR. FAIN: Thank you.

15 BY MR. KAHLER:

16 Q Who replaced Penny Faires?

17 A Hien Bowen, H-I-E-N, B-O-W-E-N.

18 Q And how long was he at the Ocean Shores clinic?

19 A She was --

20 Q Or she.

21 A -- was there six months.

22 Q Do you know whether - whether Scott Haga was a Sea Mar
23 employee?

24 A Yes.

25 Q Do you know whether Penny Faires was a Sea Mar employee?

CHASSIDY JONES, MA - by Mr. Kahler

15

1 A Yes.

2 Q And Dr. McGriff, is that a Sea Mar employee?

3 A No.

4 Q Who - you said it was Debra Thomas that told you that
5 Dr. Faires was a locum tenens?

6 A Yes.

7 Q What did she tell you?

8 A That since Scott was gone, that we would have temporary
9 providers that would come in to be the . . .

10

11

12 (Knock on conference room door.)

13

14

15 MS. CHAN: Off the record. I'm sorry.

16

17

18 (Brief discussion off the
record.)

19

20

21 THE WITNESS: Okay. So that since Scott left
22 there had to be - that there was a locum tenens provider
23 coming in to lighten Dr. Stokan's patient panel.

24 BY MR. KAHLER:

25 Q And by "patient panel," you mean her patient load or --

1 kinds of things you have done trainings on?

2 A Hand washing, immunizations. We do blood pathogens and
3 pandemic flu trainings, natural disaster trainings.

4 Q How many days a week did Dr. Faires work at the Ocean
5 Shores clinic when she was there?

6 A Five days a week.

7

8

9

(Deposition Exhibit No. 2
marked for identification.)

10

11

12 BY MR. KAHLER:

13 Q Okay. Exhibit 2 is a patient schedule and it is cut off
14 a little bit on the left-hand side, but the first two
15 pages are for April 25th, 2012 and then the next two
16 pages are for May 7th, 2012 and then the last two pages
17 are for May 15th, 2012. And this is for Dr. Faires.
18 And if you look at the - at the first page, it indicates
19 that there is a patient scheduled every 15 minutes. Was
20 that the typical patient schedule for the physicians at
21 the Ocean Shores clinic?

22 A Yes.

23 Q How much did you - or often would you work with
24 Dr. Faires' - Faires' patients as opposed to
25 Dr. Stokan's patients?

1 A I was the MA assigned to Dr. Faires.

2 MR. FAIN: I'm sorry. I didn't hear that. What
3 did you just say?

4 THE WITNESS: I was assigned to Dr. Faires.

5 MS. CHAN: Do you need water?

6 THE WITNESS: Yeah. Thank you.

7 MS. CHAN: Yeah.

8 BY MR. KAHLER:

9 Q In terms of the patient schedule, did Dr. Faires
10 generally stay pretty close to the schedule times or did
11 she generally fall behind or was there any pattern in
12 that regard?

13 A I'm trying to think. Usually she would be on time.

14 Q Do you recall who Alisha Briggs is?

15 A Yes.

16 Q Okay. What do you recall about her?

17 A Her as a person.

18 Q Did you see her on a number of occasions?

19 A At the clinic?

20 Q (Nods head.)

21 A When she had appointments, yes.

22 Q Did you have any contact with her outside of the clinic?

23 A No.

24 Q Do you recall any particular conversations that you had
25 with her?

1 A Inside the clinic?

2 Q In the clinic.

3 A Usually when you take the patient back, you ask them
4 what they are there for and then make sure that the
5 provider sees them and hope they have a nice day.

6 Q Did you ever have any discussion with Alisha Briggs
7 about Dr. Faires' employment relationship with Sea Mar?

8 A No.

9 Q Did you ever tell her that Dr. Faires was a locum tenens
10 or that she wasn't employed by Sea Mar?

11 A They - usually if they ask if they are temporary, then
12 we will give them a "yes" or "no."

13 Q And do you recall Alisha Briggs ever asking you what
14 Dr. Faires' status was?

15 A No.

16 Q Okay. And you don't recall ever telling her that
17 Dr. Faires was a temporary physician there?

18 A No.

19 Q Were the names of the physicians at the clinic listed
20 anywhere in the lobby area of the clinic?

21 A We have a board that's a whiteboard and it has the names
22 of the providers and usually we write the number if they
23 do run behind on the board.

24 Q So the whiteboard would have the names of the providers
25 and it would say 30 minutes or --

1 A Yeah, 30 minutes, 15 minutes or --

2 Q Okay. Did Dr. Faires have any kind of a jacket or
3 uniform of any kind that she wore at the Sea Mar clinic
4 in Ocean Shores?

5 A She wore a white coat over her business attire and she
6 had a badge with her name and picture on it.

7 Q And did the coat that she wore, did it have her name or
8 Sea Mar's name or anything on it?

9 A I think it just had the medical symbol on it.

10 Q Okay.

11 A I don't remember if it had her name on it.

12 Q During the time that Dr. Faires was working at the Ocean
13 Shores clinic, was there anyone else working at the
14 clinic who, to your knowledge, was not a Sea Mar
15 employee?

16 A No.

17 Q Can you describe for me generally what medical services
18 the Sea Mar Ocean Shores clinic provides?

19 A Patient care.

20 Q And is it generally family practice --

21 A Family practice.

22 Q -- or primary care?

23 A Yes.

24 MS. CHAN: Wait until he finishes the question.

25 THE WITNESS: Okay.

1 Q Okay. And then under "Vitals" there is a time listed
2 there. What does that - it says, "1:28 p.m.." What
3 does that time indicate?

4 A When the vitals were started or finished.

5 Q Okay. And then right below that it says, "4-25-2012,
6 1:24 p.m.." Do you know what that time indicates?

7 A No.

8 Q And under "Vitals," it says, "Pain Level: 6 out of 10."
9 How do you get that information from the patient?

10 A You ask the patient their pain level, one being the
11 lowest and 10 being the highest.

12 Q Okay. Was Sea Mar using at the Ocean Shores clinic
13 entirely electronic medical records for patient visits
14 in 2012?

15 A For patient visits - for patient office visits, yes.

16 Q Okay. How long would you normally spend with the
17 patient to go through your part of the office visit?

18 A It can take seven minutes to 15 minutes.

19 Q And were there computers in the exam rooms or did you
20 use a laptop or what type of equipment did you have?

21 A Every MA has a laptop that they bring with them to each
22 room.

23 Q Okay. And then did Dr. Faires have her own laptop that
24 she brought with her?

25 A Yes.